

SENATE AMENDMENTS

2nd Printing

By: Guillen

H.B. No. 2099

A BILL TO BE ENTITLED

AN ACT

relating to improving access to nursing education programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.762, Education Code, is amended by amending Subsection (a) and adding Subsection (g-1) to read as follows:

(a) The board, with the assistance of an advisory committee composed of representatives of general academic teaching institutions, junior college districts, public state colleges, and public technical institutes, and with the consultation of all institutions of higher education that admit freshman-level students:

(1) shall adopt by rule:

(A) a common admission application form for use by a person seeking admission as a freshman student to a general academic teaching institution; and

(B) an electronic common admission application form for use by a person seeking admission as a freshman student to an institution of higher education that admits freshman-level students, other than a general academic teaching institution; ~~and~~

(2) shall:

(A) determine whether the adoption of an electronic common admission application form for use by a person seeking admission to an undergraduate nursing education program at

1 an institution of higher education would be cost-effective for
2 nursing schools; and

3 (B) adopt such a form by rule if the adoption is
4 determined under Paragraph (A) to be cost-effective for nursing
5 schools; and

6 (3) may adopt by rule a printed format common
7 admission application form for use by a person seeking admission as
8 a freshman student to an institution of higher education that
9 admits freshman-level students, other than a general academic
10 teaching institution.

11 (g-1) If an electronic common admission application form
12 for use by a person seeking admission to an undergraduate nursing
13 education program at an institution of higher education is adopted
14 under Subsection (a)(2)(B):

15 (1) the board must seek input from representatives of
16 undergraduate nursing education programs at institutions of higher
17 education in prescribing the form; and

18 (2) the form must include a link to information
19 regarding any available scholarship opportunities for
20 undergraduate nursing education degree students offered by
21 institutions of higher education.

22 SECTION 2. Section 61.026, Education Code, is amended to
23 read as follows:

24 Sec. 61.026. COMMITTEES AND ADVISORY COMMITTEES. (a) The
25 chairman may appoint committees from the board's membership as the
26 chairman [~~he~~] or the board may find necessary from time to time.
27 The board may appoint advisory committees from outside its

1 membership as it may deem necessary.

2 (b) If the board directs an advisory committee to assist the
3 board in exercising its authority under Section 61.051(j) regarding
4 an off-campus course in nursing education, including clinical
5 coursework, the board may require the advisory committee to include
6 or consult with one or more career schools or colleges that are
7 authorized to offer degrees in this state and are located in the
8 area where the course is to be offered. In this subsection, "career
9 school or college" has the meaning assigned by Section 132.001.

10 SECTION 3. The Texas Higher Education Coordinating Board
11 shall make an initial determination regarding whether adopting an
12 electronic common admission application form for undergraduate
13 nursing education programs would be cost-effective as required by
14 Section 51.762, Education Code, as amended by this Act, not later
15 than September 1, 2014.

16 SECTION 4. This Act takes effect September 1, 2013.

ADOPTED

MAY 21 2013

Atty. Gen. Paul
Secretary of the Senate

By: Hinojosa

H.B. No. 2099

Substitute the following for H.B. No. 2099:

By: West

C.S.H.B. No. 2099

A BILL TO BE ENTITLED

1 AN ACT

2 relating to improving access to nursing education programs.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Sections 51.762(a) and (b), Education Code, are
5 amended to read as follows:

6 (a) The board, with the assistance of an advisory committee
7 composed of representatives of general academic teaching
8 institutions, junior college districts, public state colleges, and
9 public technical institutes, and with the consultation of all
10 institutions of higher education that admit freshman-level
11 students:

12 (1) shall adopt by rule:

13 (A) a common admission application form for use
14 by a person seeking admission as a freshman student to a general
15 academic teaching institution; ~~and~~

16 (B) an electronic common admission application
17 form for use by a person seeking admission as a freshman student to
18 an institution of higher education that admits freshman-level
19 students, other than a general academic teaching institution; and

20 (C) if the board determines that adoption of the
21 form would be cost-effective for nursing schools, an electronic
22 common admission application form for use by a person seeking
23 admission as a student to an undergraduate nursing education
24 program at an institution of higher education; and

1 (2) may adopt by rule a printed format common
2 admission application form for use by a person seeking admission as
3 a freshman student to an institution of higher education that
4 admits freshman-level students, other than a general academic
5 teaching institution.

6 (b) The board, with the assistance of an advisory committee
7 composed of representatives of general academic teaching
8 institutions, junior college districts, public state colleges, and
9 public technical institutes, and with the consultation of all
10 institutions of higher education that admit undergraduate transfer
11 students, may adopt by rule:

12 (1) a common admission application form for use by a
13 person seeking admission as an undergraduate transfer student to a
14 general academic teaching institution; ~~and~~

15 (2) an electronic or printed format common admission
16 application form for use by a person seeking admission as an
17 undergraduate transfer student to an institution of higher
18 education that admits undergraduate transfer students, other than a
19 general academic teaching institution; and

20 (3) if the board determines that adoption of the form
21 would be cost-effective for nursing schools, an electronic common
22 admission application form for use by a person seeking admission as
23 a transfer student to an undergraduate nursing education program at
24 an institution of higher education.

25 SECTION 2. Section 61.026, Education Code, is amended to
26 read as follows:

27 Sec. 61.026. COMMITTEES AND ADVISORY COMMITTEES. (a) The

1 chairman may appoint committees from the board's membership as the
2 chairman [~~he~~] or the board may find necessary from time to time.
3 The board may appoint advisory committees from outside its
4 membership as it may deem necessary.

5 (b) If the board directs an advisory committee to assist the
6 board in exercising its authority under Section 61.051(j) regarding
7 an off-campus course in nursing education, including clinical
8 coursework, the board shall require the advisory committee to
9 include or consult with one or more private postsecondary
10 educational institutions or private career schools and colleges in
11 this state that offer degree programs.

12 SECTION 3. Chapter 61, Education Code, is amended by adding
13 Subchapter II to read as follows:

14 SUBCHAPTER II. NURSING FACULTY LOAN REPAYMENT ASSISTANCE PROGRAM

15 Sec. 61.9821. REPAYMENT AUTHORIZED. The board shall
16 establish and administer a program to provide, in accordance with
17 this subchapter and board rules, assistance in the repayment of
18 student loans for nurses who:

19 (1) are serving on the faculties of nursing degree
20 programs at institutions of higher education or private or
21 independent institutions of higher education in positions that
22 require an advanced degree in professional nursing; and

23 (2) apply and qualify for the assistance.

24 Sec. 61.9822. ELIGIBILITY. To be eligible to receive loan
25 repayment assistance under this subchapter, a nurse must:

26 (1) apply to the board;

27 (2) at the time of application for repayment

1 assistance have been employed full-time for at least one year as,
2 and be currently employed full-time as, a faculty member of a
3 nursing degree program at an institution of higher education or a
4 private or independent institution of higher education; and

5 (3) comply with any additional requirements adopted by
6 board rule.

7 Sec. 61.9823. LIMITATIONS. (a) On qualifying for loan
8 repayment assistance under this subchapter, a nurse may receive
9 repayment assistance for each year of full-time employment as a
10 faculty member of a nursing degree program at an institution of
11 higher education or private or independent institution of higher
12 education, not to exceed five years.

13 (b) The amount of loan repayment assistance received by a
14 nurse under this subchapter may not exceed \$7,000 in any one year.

15 (c) The total amount of loan repayment assistance provided
16 under this subchapter may not exceed the total amount of gifts and
17 grants accepted by the board for the repayment assistance and other
18 funds available to the board for the repayment assistance,
19 including any money reallocated under Section 61.9826.

20 Sec. 61.9824. ELIGIBLE LOANS. (a) The board may provide
21 repayment assistance for the repayment of any student loan for
22 education at any public or private institution of higher education,
23 including a loan for undergraduate education, received by an
24 eligible person through any lender.

25 (b) The board may not provide repayment assistance for a
26 student loan that is in default at the time of the nurse's
27 application.

1 Sec. 61.9825. REPAYMENT. (a) The board shall deliver any
2 repayment under this subchapter in a lump sum:

3 (1) payable to both the lender or other holder of the
4 loan and the nurse; or

5 (2) directly to the lender or other holder of the loan
6 on the nurse's behalf.

7 (b) A repayment under this subchapter may be applied to any
8 amount due in connection with the loan.

9 Sec. 61.9826. REALLOCATION OF MONEY. (a) In each state
10 fiscal year, the board shall reallocate for loan repayment
11 assistance under this subchapter for a particular year any money in
12 the physician education loan repayment program account established
13 under Section 61.5391 that exceeds the amount necessary in that
14 fiscal year for purposes of repayment assistance under Subchapter
15 J.

16 (b) Any money reallocated under Subsection (a) in a fiscal
17 year that is not used for loan repayment assistance under this
18 subchapter in that fiscal year is treated as if that unused amount
19 had not been reallocated in that fiscal year.

20 Sec. 61.9827. GIFTS AND GRANTS. The board may solicit and
21 accept gifts and grants from any source for the purposes of this
22 subchapter.

23 Sec. 61.9828. RULES. (a) The board shall adopt rules as
24 necessary to administer this subchapter.

25 (b) The board shall distribute a copy of the rules adopted
26 under this section and pertinent information regarding this
27 subchapter to:

- 1 (1) each institution of higher education and private
2 or independent institution of higher education;
3 (2) any appropriate state agency; and
4 (3) any appropriate professional association.

5 SECTION 4. Section 61.5391(b), Education Code, is amended
6 to read as follows:

7 (b) Money in the account may not be appropriated for any
8 purpose except:

- 9 (1) to provide loan repayment assistance to eligible
10 physicians under this subchapter; or
11 (2) to provide loan repayment assistance under
12 Subchapter II if reallocated under Section 61.9826.

13 SECTION 5. The Texas Higher Education Coordinating Board
14 shall adopt the rules for loan repayment assistance under
15 Subchapter II, Chapter 61, Education Code, as added by this Act, not
16 later than December 1, 2013.

17 SECTION 6. Not later than September 1, 2014, the Texas
18 Higher Education Coordinating Board shall make an initial
19 determination regarding whether adopting electronic common
20 admission application forms for undergraduate nursing education
21 programs would be cost-effective as required by Sections 51.762(a)
22 and (b), Education Code, as amended by this Act.

23 SECTION 7. This Act takes effect September 1, 2013.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2099 by Guillen (Relating to improving access to nursing education programs.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2099, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Physician Ed. Loan Repayment 5144
2014	(\$168,000)
2015	(\$168,000)
2016	(\$168,000)
2017	(\$168,000)
2018	(\$168,000)

Fiscal Analysis

Among other provisions, the bill would implement recommendations in the report, "Maximize the Capacity of Nursing Education Programs to Reduce the Shortage of Nurses in Texas," in the Legislative Budget Board's Government Effectiveness and Efficiency Report submitted to the

Eighty-Third Texas Legislature, 2013.

The bill would amend the Education Code to require the Texas Higher Education Coordinating Board (THECB) to determine whether the adoption of an electronic common application form for undergraduate nursing education programs would be cost-effective. If the THECB determines that the form is cost-effective, the THECB shall adopt a form for both new and transfer students seeking admission to those programs.

The bill would also create a nursing faculty loan repayment assistance program administered by the THECB. To be eligible to receive loan repayment assistance, a nurse must have been employed full-time as a faculty member of a nursing degree program for one year at the time of application for repayment assistance, at a public, private or independent institution of higher education, and comply with any additional requirements adopted by board rule. The amount of loan repayment assistance could not exceed \$7,000 per year. Under provisions of the bill, the THECB could reallocate money from the physician education loan repayment program that exceeds the amounts necessary to fund physicians in that fiscal year, for purposes of supporting eligible nurse applicants to the nursing loan repayment assistance program.

Methodology

Implementing provisions of this bill would result in a General Revenue-Dedicated cost of \$168,000 per fiscal year. The cost associated with the loan repayment amount is based on 24 loan recipients times the maximum award amount of \$7,000. THECB reports that turnover rate for full-time faculty in advanced practice nursing education programs was 7.9 percent. The number of filled full-time positions as of September 30, 2012 was 283, while the number of vacant full-time positions as of that date was 26; thus the total number of full-time faculty positions was 309. Therefore, this estimate assumes that 7.9 percent of the full-time faculty positions, 24 faculty, would be either recruited or retained in those positions each year by receiving loan repayment awards for the maximum amount, \$7,000.

Since this program is tied to the physician loan repayment program which is funded by General Revenue-Dedicated Account 5144, these costs are shown in the table above as General Revenue-Dedicated funds.

Based on the LBB's analysis of responses from public university systems and the Texas Higher Education Coordinating Board, it is assumed that administrative costs associated with implementing provisions of the bill would be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 783 University of Houston System Administration, 781 Higher Education Coordinating Board

LBB Staff: UP, SDE, KK, JI, RT, GO, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 18, 2013

TO: Honorable Kel Seliger, Chair, Senate Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2099 by Guillen (relating to improving access to nursing education programs.),
Committee Report 2nd House, Substituted

Estimated Two-year Net Impact to General Revenue Related Funds for HB2099, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>Physician Ed. Loan Repayment</i> 5144
2014	(\$168,000)
2015	(\$168,000)
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Fiscal Analysis

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The bill would amend the Education Code to require the Texas Higher Education Coordinating Board (THECB) to determine whether the adoption of an electronic common application form for undergraduate nursing education programs would be cost-effective. If the THECB determines that the form is cost-effective, the THECB shall adopt a form for both new and transfer students seeking admission to those programs.

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Since this program is tied to the physician loan repayment program which is funded by General Revenue-Dedicated Account 5144, these costs are shown in the table above as General Revenue-Dedicated funds.

Based on the LBB's analysis of responses from public university systems and the Texas Higher Education Coordinating Board, it is assumed that administrative costs associated with implementing provisions of the bill would be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 783 University of Houston System Administration, 781 Higher Education Coordinating Board

LBB Staff: UP, SDE, KK, JI, RT, GO, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 10, 2013

TO: Honorable Kel Seliger, Chair, Senate Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2099 by Guillen (Relating to improving access to nursing education programs.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would implement some of the recommendations in the report, "Maximize the Capacity of Nursing Education Programs to Reduce the Shortage of Nurses in Texas," in the Legislative Budget Board's Government Effectiveness and Efficiency Report submitted to the Eighty-Third Texas Legislature, 2013.

The bill would amend the Education Code to require the Texas Higher Education Coordinating Board to determine whether the adoption of an electronic common admission application form for use by a person seeking admission to an undergraduate nursing education program would be cost-effective. If it is determined to be cost-effective, the Board would be required to adopt such an electronic form by rule with input from representatives of undergraduate nursing education programs. The adopted electronic form would also include information regarding any available nursing scholarship opportunities offered by institutions of higher education.

Based on the LBB's analysis of responses from each public university system and the Texas Higher Education Coordinating Board, it is assumed that the duties and responsibilities associated with implementing the bill could be accomplished within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices, 768 Texas Tech University System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

LBB Staff: UP, SDE, KK, JI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 22, 2013

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2099 by Guillen (relating to improving access to nursing education programs.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would implement some of the recommendations in the report, "Maximize the Capacity of Nursing Education Programs to Reduce the Shortage of Nurses in Texas," in the Legislative Budget Board's Government Effectiveness and Efficiency Report submitted to the Eighty-Third Texas Legislature, 2013.

The bill would amend the Education Code to require the Texas Higher Education Coordinating Board to determine whether the adoption of an electronic common admission application form for use by a person seeking admission to an undergraduate nursing education program would be cost-effective. If it is determined to be cost-effective, the Board would be required to adopt such an electronic form by rule with input from representatives of undergraduate nursing education programs. The adopted electronic form would also include information regarding any available nursing scholarship opportunities offered by institutions of higher education.

Based on the LBB's analysis of responses from each public university system and the Texas Higher Education Coordinating Board, it is assumed that the duties and responsibilities associated with implementing the bill could be accomplished within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices, 768 Texas Tech University System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

LBB Staff: UP, SDE, KK, JI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 2, 2013

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2099 by Guillen (Relating to improving access to nursing education programs.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would implement the recommendations in the report, "Maximize the Capacity of Nursing Education Programs to Reduce the Shortage of Nurses in Texas," in the Legislative Budget Board's Government Effectiveness and Efficiency Report submitted to the Eighty-Third Texas Legislature, 2013.

The bill would amend the Education Code to require the Texas Higher Education Coordinating Board to adopt an electronic common application form for nursing education programs. Nursing scholarship information would also be available for applicants in an electronic format. The bill would also authorize funds deposited in the General Revenue-Dedicated Physician Education Loan Repayment Program Account 5144 to be appropriated for loan repayment assistance to eligible faculty of professional nursing programs.

Based on the LBB's analysis of responses from each public university system and the Texas Higher Education Coordinating Board, it is assumed that the duties and responsibilities associated with implementing the bill could be accomplished within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

LBB Staff: UP, KK, JI, SDE